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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

<p>HARRY WISEMAN,</p> <p>Plaintiff,</p> <p>vs.</p> <p>JACOBS ENTERTAINMENT, INC., a Delaware Corporation; ROCKY MOUNTAIN EGGS, INC., a California Corporation; SYSCO USA I, INC., a Delaware Corporation; DOES 1 through 10, inclusive; and ROE ENTITIES 1 through 10, inclusive,</p> <p>Defendants.</p>	<p>Case No.: 3:19-cv-00153-RCJ-CBC</p> <p><b>SECOND JOINT CASE MANAGEMENT REPORT</b></p>
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The parties to the above-entitled action jointly submit this SECOND JOINT CASE MANAGEMENT REPORT pursuant to the Court's Minute Order in Chambers, filed July 14, 2020 (Dkt. 71), relating to Defendant/Third-Party Plaintiff Rocky Mountain Eggs, Inc.'s Notice of Discovery Dispute (Dkt. 69) and in advance of the second Periodic Case Management Conference, which was rescheduled for the time of hearing the discovery dispute on July 16, 2020 at 4:00 p.m.

This case involves an outbreak of Salmonella-related food-borne illness. Counsel for plaintiff provided defense counsel for all parties in this action demand letters containing full and complete records concerning the plaintiff's injuries, damages, and related expenses. Defendants have filed Answers, Cross-Claims, and Third-Party Complaints. Shepherd and Sons Poultry Farm, Inc. and Shepherd's Processed Eggs, Inc. filed a motion for leave to file a Third-Party Complaint against Fassio Egg Farms, Inc., and the Court granted the Motion on July 10, 2020 (Dkt. 68). Shepherd and Sons Poultry Farm, Inc. and Shepherd's Processed Eggs, Inc. filed its Third-Party

1 Complaint against Fassio Egg Farms, Inc., on July 13, 2020 (Dkt. 70).

2 Defendant Rocky Mountain Eggs, Inc. previously served a subpoena duces tecum upon the  
3 Nevada Department of Health and Human Services (“the Department”) which sought, inter alia, a  
4 complete copy of its investigation materials relating to the Salmonella-related illness outbreak that  
5 is the subject of Plaintiff’s lawsuit. The documents from the Department were recently received  
6 and produced in this matter.

7 This matter had been scheduled for private mediation on July 31, 2020. However, due to the  
8 fact that Fassio Egg Farms, Inc. has not received Service of Process or entered an appearance  
9 herein, the July 31, 2020 private mediation was cancelled on July 14, 2020. All parties to this  
10 action have agreed that the mediation shall be rescheduled in August or September, 2020, and plan  
11 to conduct said mediation by remote video conference if circumstances require.

12  
13 Dated: 7/15/2020

/s/ Josh Fensterbush

Counsel for Plaintiff

14  
15 Dated: 7/15/2020

/s/ Craig Murphy

Counsel for Plaintiff

16  
17 Dated: 7/15/2020

/s/ Timothy Hunter

Counsel for Defendant

Jacobs Entertainment Inc.

18  
19  
20 Dated: 7/15/2020

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Counsel for Defendant

Sysco USA 1, Inc.

21  
22  
23 Dated: 7/15/2020

/s/ Justin H. Pfrehm

Counsel for Defendant

Rocky Mountain Eggs

24  
25  
26 Dated: 7/15/2020

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Counsel for Defendant

Shepherd & Sons

**CERTIFICATE OF SERVICE**

Pursuant to Rule 5(b) of the Federal Rules of Civil Procedure, I hereby certify that I am an employee of MURPHY & MURPHY LAW OFFICES, and that on July 15, 2020 the foregoing SECOND JOINT CASE MANAGEMENT REPORT was served upon the parties via the Court's e-filing and service program.



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Employee of Murphy & Murphy Law Offices

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